

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DELFORD M. SMITH,

05-CV-372-AS

Plaintiff,

ORDER

v.

CARSON COLE; DEBTTRADERS,
INC.; DEBTTRADERS GROUP,
INC.; AND DEBTTRADERS, LTD.,

Defendants.

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Group, Inc.; and DebtTraders, Ltd.

BROWN, Judge.

Pursuant to 28 U.S.C. § 636(b)(1)(A) and Fed. R. Civ. P.
72(a), Magistrate Judge Donald C. Ashmanskas issued an Opinion
and Order (#48) on March 2, 2006, in which he granted Defendant
Carson Cole's Motion to Disqualify Counsel (#34). Defendant Cole
has requested review of Magistrate Judge Askmanskas's ruling.

"Pretrial orders of a magistrate judge under § 636(b)(1)(A)
are reviewable under the 'clearly erroneous and contrary to law'
standard; they are not subject to de novo determination as are a
magistrate judge's proposed findings and recommendations under

'636(b)(1)(B)." *Merritt v. Int'l Bhd. of Boilermakers*, 649 F.2d 1013, 1017 (5th Cir. 1981)(*per curiam*). *Accord United States v. Saunders*, 641 F.2d 659, 663-64 n.1 (9th Cir. 1980).

Defendant Cole has not demonstrated the Opinion and Order is either clearly erroneous or contrary to law. Accordingly, the Court adheres to Magistrate Judge Ashmanskas's March 2, 2006, Opinion and Order.

IT IS SO ORDERED.

DATED this 28th day of April, 2006.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge